


Approved by: Juan Williams, Commissioner	Policy Number: 12-028 (Rev. 04/2021)
Signature: 	Supersedes: 12-028; 11-036; 02-020
Application: Executive Branch Agencies, Preferred Employees, Human Resources Officers	Effective Date: July 1, 2014
Authority: T.C.A. § 4-3-1703, T.C.A. § 8-30-104, T.C.A. § 8-30-308	Rule: Chapter 1120-02

Probationary Periods

Every person appointed or promoted to a position in the preferred service shall be subject to a probationary period of employment. Newly appointed or promoted applicants in the preferred service shall serve a probationary period for a minimum of twelve (12) months. The maximum probationary period shall be twenty-four (24) months. The length of the probationary period is established by the Department of Human Resources and depends on the business needs of the job classification or the position.

A probationary period starts on the effective date of the employee's appointment or promotion to a job classification in a preferred position. Probation ends at the close of business on the day of the employee's last scheduled shift at the conclusion of that probationary period. With the successful completion of a probationary period, an employee becomes a preferred employee. An employee's probationary period cannot be extended. If, however, an employee is on probation and is without pay for the greater portion of a month, the employee's probationary period end date is reestablished adding one month.

An employee in the preferred service who accepts another preferred service position within the same agency shall serve a subsequent probation for a time period of not less than one (1) year.

An employee appointed to a career path position is subject to probationary periods as defined in DOHR Policy 12-023 [Procedures for Developing Career Path Classifications].

An employee may be removed for any reason during a probationary period subject to Department of Human Resources laws, rules, and policies. Employees on initial probation do not have the ability to appeal a demotion, suspension, or termination. An employee serving a subsequent probationary period may appeal a demotion, suspension, or termination from service; however, such employee may not appeal a demotion that returns the employee to the employee's immediately preceding former position. An employee promoted to the same agency during the employee's initial probation will begin a new probationary period with no appeal rights.

To request a longer probationary period for a job classification, an appointing authority must submit a written request to the Department detailing the nature of the work and the need for the longer evaluation period. If the Department approves the request, employees currently on probation in a position within the job classification for which the probationary period is to be extended will not have their probationary period extended. All new applicants appointed to the job classification, or positions in the job classification affected by the approved request, shall serve the longer approved probationary period.

If the appointing authority's request for a longer probationary period involves only certain positions within a job classification rather than all positions in a job classification, the written justification must address the job-related differences which warrant different levels of probations for positions in the same job classification. If approved, the requesting agency has the responsibility to ensure Edison requirements are approved for each position when a new employee is appointed.

Probationary Periods at the Time of Deployment

Employees serving a probationary period when called to active duty should have his or her probation expiration date recalculated upon return to work. The new date should be calculated by determining the number of months for which the employee worked the major portion before being called to active duty (based on the deployment date on the military orders) and adding the remaining months needed to complete the probationary period to the employee's return date (actual date of return to work). This recalculation should be completed for employees serving any probationary period. When an employee is serving a probationary period in a career path position, this recalculated probation expiration date will determine the date the employee is eligible to receive a salary increase and promote to the next level of the classification.

Executive service employees do not serve a probationary period.

Questions regarding this policy may be directed to the Agency Resource Center (ARC).